

### **Remarks**

Claims 1-2, 5-6, 8-15, 18, 25, 28-30, 33 and 36-37 are pending in this application. Claims 3-4, 7, 16-17, 19-24, 26-27, 31-32, 34-35 and 38 were previously canceled. Claim 1 is herein amended and claims 28-30 and 36-37 are herein withdrawn in view of Applicants' election. Upon entry of these amendments, claims 1-2, 5-6, 8-15, 18, 25, 28-30, 33 and 36-37 are pending with claims 1-2, 5-6, 8-15, 18, 25, and 33 under active consideration. Applicants respectfully request entry of the amendments and remarks made herein into the file history of the present application.

### **I. ELECTION**

Applicants elect without traverse Group I (claims 1-2 (in part), 5-6, 8-13, 14-15 (in part), 18 (in part), 25 (in part), 33 (in part)), as drawn to methods of administering human growth hormone, variants, agonists or salts thereof, or human growth hormone releasing hormone. Applicants expressly reserve the right to prosecute claims directed to the remaining allegedly distinct groups and species in one or more continuing or divisional applications.

### CONCLUSION

The Examiner is hereby respectfully invited to contact the undersigned attorney at the number listed below with any questions, comments or suggestions relating to this application.

Respectfully Submitted,

HOWREY, LLP

Dated: January 30, 2009

By: /David W. Clough/  
David W. Clough, Ph.D.  
Registration No.: 36,107  
Customer No.: 22930  
Telephone No.: (312) 595-1408

HOWREY LLP  
ATTN: Docketing Department  
2941 Fairview Park Drive, Suite 200  
Falls Church, VA 22042-2924  
Telephone No.: (703) 663-3600  
Facsimile No.: (703) 336-6950

Appendix A

- |           |   |
|-----------|---|
| Group I   | Claim (s) 1-2 (in part), 5-6, 8-13, 14-15 (in part), 18 (in part), 25 (in part), 33 (in part) drawn to methods of administering human growth hormone, variants, agonists or salts thereof, or human growth hormone releasing hormone. |
| Group II  | Claim (s) 1-2 (in part), 14-15 (in part), 18 (in part), 25 (in part), 28-32, 33 (in part) drawn to methods of administering IGF-I or IGF-II, IGFBP or IGFBP3.   |
| Group III | Claim (s) 1-2 (in part), 14-15 (in part), 33 (in part) and 36, drawn to methods of administering a nucleic acid encoding human growth hormone, variants thereof, agonists thereof or human growth hormone releasing hormone.          |
| Group IV  | Claim (s) 1-2 (in part), 14-15 (in part), 33 (in part) and 36, drawn to methods of administering a nucleic acid encoding IGF-I or IGF-II, IGFBP or IGFBP3.  |
| Group V   | Claim (s) 1-2 (in part) and 37, drawn to a method of administering a cell that produces human growth hormone, variants, agonists or salts thereof, or human growth hormone releasing hormone.   |
| Group VI  | Claim (s) 1-2 (in part) and 37, drawn to a method of administering a cell that produces IGF-I or IGF-II, IGFBP or IGFBP3.   |